

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Bail Appl.No. 7775 of 2007()

CRIME NO. 599/07 OF GURUVAYOOR POLICE STATION

PETITIONER

T.BALASUBRAMANIAN, AGED 36 YEARS,
S/O. THANKAVELU, NO.XVI/1-17, AYSWARYA NAGAR,
MAIN ROAD, UDUMALPET, COIMBATORE DISTRICT,
TAMIL NADU.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 7775 of 2007

Dated this the 18th day of December, 2007

ORDER

Application for regular bail. The petitioner is the first accused. Altogether there are two accused persons at present. The defacto complainant's Scorpio car was allegedly stolen. A crime was registered. The petitioner was found travelling in the said car. It was intercepted and seized. It was revealed that there was an attempt to tamper with the chassis and engine numbers. On reasonable suspicion that the petitioner is involved in the commission of theft and in receiving stolen property, he was arrested on 21.11.2007 and he continues in custody from that date.

2. According to the learned counsel for the petitioner it is a traversy of justice that the petitioner has been arrested and detained in custody. He has absolutely no contumacious role. He has purchased the car from the second accused believing it to be a genuine and fair transaction. The petitioner has no criminal

antecedents. He does not deserve to suffer the trauma of continued incarceration. The petitioner is willing to co-operate with the Investigators. He is also a victim of the crime, if as a matter of fact the vehicle is a stolen vehicle. Subject to appropriate conditions, the petitioner may be enlarged on bail, prays the learned counsel.

3. The learned Prosecutor does not oppose the application. He submits that the petitioner, who hails from Tamil Nadu, may be released on bail, but adequate and satisfactory conditions, which shall ensure that he co-operates with the Investigators and shall be available for interrogation, may be imposed.

4. Having considered all the relevant inputs, I am satisfied that the petitioner can be granted regular bail. I take particular note of the fact that it is not even claimed that the petitioner has any criminal antecedents. In the absence of opposition, it is not necessary for me to advert to facts in any greater detail in this order.

4. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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